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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,295	07/12/2001	Riku Suomela	4208-4001	2068

7590

06/24/2004

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EXAMINER

TRAN, HENRY N

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,295

Applicant(s)

SUOMELA, RIKU

Examiner

HENRY N TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-105 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-105 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to the applicant's amendment received 3/15/04 (Paper No. 6). The amendments to the specification and the claims have been entered. Claims 1-105 are pending in this application. Applicant's remarks were considered, with the results set forth as follows.

Information Disclosure Statement

1. The examiner has considered all the references provided with the information disclosure statement (IDS) received 8/8/03 (Paper No. 4) except the first listed document: US patent No. 6,020,881, which has been considered as item B document listed in the form PTO-892 of the prior Office action mailed 11/10/02 (Paper No. 3), see the attached form PTO-1449.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 105 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 105 recites the limitation "the wireless terminal" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action mailed 11/10/04.

5. Claims 1-9, 12-34, 38-62, 65-86 and 90-104 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ivie et al (U.S. Patent No. 5,815,086, hereinafter referred to as "Ivie '086" in view of Naughton et al (U.S. Patent No. 6,020,881, herein after referred to as "Naughton '881") as recited in pages 2-4 of the above identified prior Office action.

6. Claims 10, 11, 35-37, 63, 64 and 87-89 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ivie '086 in view of Naughton '881 (hereinafter referred to as "Ivie-Naughton"), and further in view of Foster (U.S. Patent No. 6,211,870) as recited in pages 4-5 of the above identified prior Office action.

Response to Arguments

7. Applicant's amendment to the Specification has overcome the objection to the disclosure as recited in section 1 of the prior Office action.

8. Applicant's arguments filed 3/15/04 with respect to the Rejections Under ***35 USC § 103*** been fully considered but they are not persuasive.

The applicant argued that:

(i) Ivie '086 teaches "*no user interface*"; and does not teach the features: "*transmitting for display on the wireless terminal data associated with an access point within whose operating range the wireless terminal is located*"; and "*the data includes a map representative of an area associated with the access point and a user selectable object representative of a ubiquitous device from the area for display on the map*"; and

(ii) Second, in Naughton '881, the world of spaces transmitted for display on the device 170 is not based on location of device 170;

(iii) No motivation to modify Ivie in view of Naughton for producing the claimed invention; and

(iv) Last, Foster does not teach user authorization to access ubiquitous devices.

The Examiner disagrees because of the following reasons:

(i) Ivie '086 clearly teaches methods and apparatus for: a user to interface with a numerous appliances 10, 14, 18 and 22 located in a plurality of rooms 102A-F in a home or a building using a handheld PDA 230 and a network server 220; and data associated with access points (which are read on the first and second access points), wherein an access point is determined by the address of the combined universal transmitter/ receiver 130, which is connected to the signal carrying bus 104 for transmitting data (appliance automation commands) associated with the access point (the combined universal transmitter/ receiver 130) for display on the LCD touch screen of the wireless terminal 230, see the prior rejection, and Fig. 1;

(ii) Naughton '881 is used to show "*the data includes a map representative of an area associated with the access point and a user selectable object representative of a ubiquitous device from the area for display on the map*", or a list of objects or spaces, see prior rejection, and Figs. 1 and 2a-c;

(iii) The motivation to modify Ivie '086 in view of Naughton '881 for producing the claimed invention is to provide an improved control system that is capable of displaying maps or

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a list of graphic objects that is conveniently and easily to select and to manipulate by the user, see the prior rejection; and

(iv) Foster invention is used to teach a programmable control unit 200 comprising a custom screen 1066 having softkeys 1161 and 1162 for indicating devices authorized to access by a specific user identifier, see the prior rejection.

The rejections of claims 1-104 are therefore maintained.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N. TRAN whose telephone number is 703-308-8410. The examiner can normally be reached on Mon – Fri from 8:00AM – 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A. HJERPE, can be reached at 703-305-4709.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

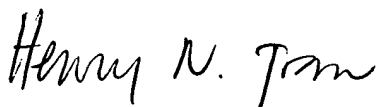
Washington, D.C. 20231

or fax to:

703-872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is 703-306-0377.



HENRY N. TRAN
Examiner
Art Unit 2674

Hnt
June 22, 2004